



Department of State

TELEGRAM

UNCLASSIFIED 1256

ΦVN

PAGE 01 STATE 263737

83
ORIGIN L-02

INFO OCT-01 EUR-12 EA-10 IO-10 ISO-00 OES-05 CIAE-00
 OODE-00 PM-03 H-02 INR-07 NSAE-00 NSC-05 PA-02 RSC-01
 PRS-01 SP-02 SS-15 USTE-00 INRE-00 NSCE-00 SSO-00
 7078 R

DRAFTED BY LIGHALDRICH:LR
 APPROVED BY LIGHALDRICH
 EA-MR. HABIB
 S MR. ADAMS
 SYS:SRGAMMON

021172

O 310039Z DEC 74
 FM SECSTATE WASHDC
 TO AMEMBASSY BERN IMMEDIATE
 INFO USMISSION GENEVA IMMEDIATE
 USDEL JEC PARIS
 AMEMBASSY SAIGON
 USMISSION USUN NEWYORK

UNCLAS STATE 263737

E.O. 11652: GDS
 " " ICRC
 TAGS: PFOR, UN, SZ, ICRC

SUBJECT: US RESPONSE TO PRG ACCESSION TO GENEVA CONVENTIONS

REF: STATE 277251

1. AMEMBASSY IS REQUESTED TO WITHDRAW NOTE THIS SUBJECT
 DELIVERED TO MFA DECEMBER 20 AND SUBSTITUTE NEW NOTE, FOR
 DELIVERY DECEMBER 31, CONTAINING FOLLOWING TEXT:

"REFERENCE IS MADE TO A TELEGRAM DATED JANUARY 18, 1974,
 AND A NOTE OF THE SAME DATE BY WHICH THE FEDERAL POLITICAL



Department of State TELEGRAM

UNCLASSIFIED

PAGE 02 STATE 283737

DEPARTMENT OF THE SWISS CONFEDERATION INFORMED THE DEPARTMENT OF STATE OF THE DEPOSIT BY THE PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM OF ITS INSTRUMENTS OF ACCESSION TO THE FOUR GENEVA CONVENTIONS OF 1949 FOR THE PROTECTION OF WAR VICTIMS, SUBJECT TO CERTAIN STATED RESERVATIONS.

"THE GOVERNMENT OF THE UNITED STATES OF AMERICA RECOGNIZES THE GOVERNMENT OF THE REPUBLIC OF VIETNAM AND DOES NOT RECOGNIZE THE PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM AS A GOVERNMENT. THE UNITED STATES GOVERNMENT THEREFORE DOES NOT RECOGNIZE THAT THE PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM IS QUALIFIED TO ACCEDE TO THE GENEVA CONVENTIONS. BEARING IN MIND, HOWEVER, THAT IT IS THE PURPOSE OF THE GENEVA CONVENTIONS THAT THEIR PROVISIONS SHOULD PROTECT WAR VICTIMS IN ARMED CONFLICT, THE GOVERNMENT OF THE UNITED STATES OF AMERICA NOTES THAT THE PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM HAS INDICATED ITS INTENTION TO APPLY THEM SUBJECT TO CERTAIN RESERVATIONS. THE RESERVATIONS EXPRESSED WITH RESPECT TO THE THIRD GENEVA CONVENTION GO FAR BEYOND PREVIOUS RESERVATIONS, AND ARE DIRECTED AGAINST THE OBJECT AND PURPOSE OF THE CONVENTION. OTHER RESERVATIONS ARE SIMILAR TO RESERVATIONS EXPRESSED BY OTHERS PREVIOUSLY AND CONCERNING WHICH THE GOVERNMENT OF THE UNITED STATES HAS PREVIOUSLY DECLARED ITS VIEWS. THE GOVERNMENT OF THE UNITED STATES REJECTS ALL THE EXPRESSED RESERVATIONS.

"THE GOVERNMENT OF THE UNITED STATES NOTES THAT THE VIEWS EXPRESSED IN THIS NOTE SHOULD NOT BE UNDERSTOOD AS IMPLYING ANY WITHDRAWAL FROM THE POLICY HERETOFORE PURSUED BY ITS ARMED FORCES IN ACCORDING THE TREATMENT PROVIDED BY THE CONVENTIONS TO HOSTILE ARMED FORCES. " 83800